

UNITED STATES DISTRICT COURT

for the

District of

Division

Case No.

(to be filled in by the Clerk's Office)

Gaye Elizabeth Morgenthaler

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

City Council of Chelsea Michigan

Jane Pacheco, Chelsea Mayor

Mariah Fink, Attorney for the City of Chelsea

Public Safety Strategic Planning Group for the City of
Chelsea, MichiganSoutheast Michigan Criminal Justice Policy Research
Project ("SMART")*Defendant(s)*

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☒ Yes ☐ No

Case: 2:23-cv-12151

Assigned To : Lawson, David M.

Referral Judge: Altman, Kimberly G.

Assign. Date : 8/22/2023

Description: CMP GAYE

MORGENTHALER V CHELSEA CITY COUNSEL
ET AL (SS)

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Gaye Morgenthaler

Street Address	636 N. Main Street
City and County	Chelsea, Washtenaw County
State and Zip Code	Michigan 48118
Telephone Number	734-385-6114
E-mail Address	lissa@livefuels.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

Defendant No. 1

Name	City Council of Chelsea, Michigan
Job or Title (<i>if known</i>)	
Street Address	305 S. Main St. Suite 100
City and County	Chelsea, Washtenaw County
State and Zip Code	Michigan 48118
Telephone Number	734-475-1771
E-mail Address (<i>if known</i>)	

Defendant No. 2

Name	Jane Pacheco
Job or Title (<i>if known</i>)	Mayor of City of Chelsea
Street Address	305 S. Main St. Suite 100
City and County	Chelsea, Washtenaw County
State and Zip Code	Michigan 48118
Telephone Number	734-475-1771
E-mail Address (<i>if known</i>)	

Defendant No. 3

Name	Mariah Fink
Job or Title (<i>if known</i>)	Attorney for City of Chelsea
Street Address	305 S. Main St. Suite 100
City and County	Chelsea, Washtenaw County

State and Zip Code	Michigan 48118
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Telephone Number	734-475-1771
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E-mail Address <i>(if known)</i>	
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Defendant No. 4

Name	Public Safety Strategic Planning Group
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Job or Title <i>(if known)</i>	
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Street Address	305 S. Main St. Suite 100
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City and County	Chelsea, Washtenaw County
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State and Zip Code	Michigan 48118
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Telephone Number	734-475-1771
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E-mail Address <i>(if known)</i>	
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II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

that List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution are at issue in this case.

Section 1983

18 U.S.C. 242 Deprivation of Rights Under Color of Law

Conspiracy to Commit Deprivation of Rights Under Color of Law

Maladministration or Misadministration

Reckless Endangerment

Fraud

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, *(name)* _____, is a citizen of
State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated
under the laws of the State of *(name)* _____,
and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, *(name)* _____, is a citizen of
the State of *(name)* _____. Or is a citizen of
(foreign _____
nation)

b. If the defendant is a corporation

The defendant, *(name)* _____, is incorporated
the laws of the State of *(name)* _____, and has its
principal place of business in the State of *(name)* _____.
Or is incorporated under the laws of *(foreign nation)* _____,
and has its principal place of business in *(name)* _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

at The amount in controversy—the amount the plaintiff claims the defendant owes or the amount
stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

I am a wife and mother of a young child in Chelsea, Michigan. It used to be a quaint little town of 5,700 residents.

Our police force is being disheartened and decimated by a group of criminals who've gained control of our city council.

After illegal protests blocked a state highway that functions as our Main Street in the Summer of 2020, Chelsea City Council member Pacheco asked our then-Police Chief Toth to fix the tickets issued to the illegal protesters. Judge Patrick Collin of Washtenaw County also called Chief Toth and asked that the tickets be dropped. (I have recordings of both phone calls.). Chelsea City Council then voted to fix the tickets after they'd been entered in the system.

Subsequently, Pacheco was elected Mayor. Four of our police officers promptly quit, as did Chief Toth and the top five staff in our city hall. Chief Toth and our former city manager both told me they would not carry out illegal orders from Pacheco.

Since then, Pacheco and our city council have commissioned three studies — with our tax dollars — of Chelsea's police department. The first two studies found Chelsea Police Department satisfactory.

We are now suffering through the third study, which is being handled by the newly-appointed "Public Safety Strategic Planning Group." It purports to be a survey of Chelsea residents.

The survey protocol started with 13 specially-selected Chelsea residents. When there was outcry by other Chelsea residents, the "SMART" group of professors from Eastern Michigan University held an evening meeting where attendees could write Post-It notes expressing their opinions of Chelsea Police. It should be noted that no attempt was made to ascertain whether attendees were actually Chelsea residents.

After Chelsea residents expressed their outrage, the Planning Group announced they would give out surveys at Chelsea's weekly farmers market and festival nights. Once again, no attempt was made to ascertain whether respondents were Chelsea residents. The same was true for a drop-box that was placed on the city premises for the anonymous surveys.

The Planning Group also switched to irregularly scheduled meetings at 2 pm. This makes it far more difficult for most working people to attend.

Meanwhile, crime in our city is up 57% year-over-year. It should be noted that a tent city exists 6 miles away from Chelsea, and illegal aliens are being dropped off behind the Home Depot in the town of Brighton,

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

May it please the Court —

Will you appoint a magistrate to take over our corrupt little town and arrest the criminals who are knowingly destroying our police force?

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: August 16, 2023

Signature of Plaintiff Gaye E Morgenthaler

Printed Name of Plaintiff Gaye E. Morgenthaler

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

State and Zip Code

Telephone Number

E-mail Address